

22 June 1973

STAT

WATERGATE: '70 spy plan

Bugging, burglary, and opening mail

Nixon approved 'clearly illegal' acts

By PETER SEIDMAN

JUNE 8—On May 22 Nixon issued a statement in which he attempted to justify his role in covering up the Watergate scandal by explaining that the burglary team, which had been caught in the act of wiretapping phones at Democratic Party national committee headquarters, was in fact part of a White House "national security" plan. This plan was drafted in response to the massive upsurge of antiwar action against the U.S. invasion of Cambodia in May 1970 and the killing of four Kent State students.

This secret plan, which authorized illegal acts, was approved by Nixon, the FBI, the CIA, the National Security Agency (NSA), and the Defense Intelligence Agency. The plan was written by Nixon aide Tom Huston. Copies of the plan were stolen by former White House counsel John Dean and have now been turned over to federal prosecutors and the Senate Watergate committee. Senator Sam Ervin, chairman of the committee, said after reading the documents that they revealed a "gestapo mentality."

Despite Nixon's claim that the plan never went into effect, numerous sources—including the *New York Times*, the *New York Daily News*, syndicated columnist Jack Anderson, and *Newsweek*—have revealed that, in fact, the government has carried out numerous actions included in the plan.

Three of the documents have now been leaked to the *New York Times*. The documents, published on June 7, include Huston's proposals for reinforcing and reorganizing the government's secret police activities in the wake of the May upsurge. They also include a "decision memorandum" signed by Huston in a move designed to cover up Nixon's approval of the plan. (Huston explained this to top Nixon aide H.R. Haldeman. "We

don't want the President linked to this thing with his signature on paper (because) all hell would break loose if this thing leaks out," he said, according to the June 8 *New York Times*.)

Because parts of this plan are undoubtedly currently in use, the disclosure of these texts provides a chilling glimpse of the government's police-state tactics. Huston recommended, among other things, that the government:

• *Intensify its "electronic surveillance and penetration."* Huston reported that "at the present time, less than [unclear] electronic penetrations are operative. This includes coverage of the C. P. U. S. A. (Communist Party, U. S. A.) and organized crime targets, with only a few authorized against subject of pressing internal security interest."

Huston claimed that "everyone knowledgeable in the field, with the exception of Mr. [then FBI director J. Edgar] Hoover concurs that existing coverage is grossly inadequate. C. I. A. and N. S. A. note that this is particularly true of diplomatic establishments, and we have learned at the White House that it is also true of new Left groups."

The CIA's concern with "diplomatic establishments" flowed from Nixon's idea that the May antiwar upsurge had been organized and financed from abroad. This absurd belief revealed Nixon's contempt for the intelligence and antiwar convictions of the U.S. people. This belief, which contradicted all the information available to the CIA, led Nixon to want to tap embassy phones to find out exactly how this "conspiracy" was being organized.

• *Step up "mail coverage."* This means, in non-Watergate language, government spying on mail. There are two kinds of mail coverage, "legal," and illegal. "Legal" coverage is when a government spy records the return addresses on all mail sent to a person under surveillance and the destination of all mail sent out by that person. "Illegal" coverage is when a government spy opens the mail of a person under surveillance!

Huston explained that "there is no valid argument against use of legal mail covers except Mr. Hoover's concern that the civil liberties people may become upset. This risk is surely an acceptable one and hardly serious enough to justify denying ourselves a valuable and legal intelligence tool."

Next, in a document he fully expected Nixon to approve, Huston wrote: "Covert coverage is illegal and there are serious risks involved. However, the advantages to be derived from its use outweigh the risks." (Emphasis added.) Clearly, Huston understood the limits of Nixon's commitment to "law and order!"

• *Modify restrictions on "surreptitious entry."* Once again showing his appreciation of presidential morality, Huston wrote: "Use of this technique is clearly illegal: it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion."

"The F. B. I., in Mr. Hoover's younger days, used to conduct such

Continued